

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

WILLIAM DAMON AVERY,

Plaintiff,

-vs-

Case No. 11-C-408

CITY OF MILWAUKEE, et al,

Defendants.

VERDICT FORM

QUESTION NO. 1:

Did any of the defendants fabricate evidence that was a cause of the homicide conviction of William Avery?

A. Gilbert Hernandez

Answer: X Yes No

B. Daniel Phillips

Answer: X Yes No

C. Katherine Hein/Spano

Answer: Yes X No

D. Timothy Heier

Answer: Yes X No

E. Kevin Armbruster

Answer: Yes X No

F. James DeValkenaere

Answer: Yes X No

If you answered "no" to all parts of Question No. 1, then you need not answer any of the remaining questions. However, if you have answered "yes" to any part of Question No. 1, then answer Question No. 2:

QUESTION NO. 2:

Did any of the defendants fail to intervene to prevent the use of fabricated evidence?

A. Gilbert Hernandez

Answer: X Yes No

B. Daniel Phillips

Answer: X Yes No

C. Katherine Hein/Spano

Answer: Yes X No

D. Timothy Heier

Answer: Yes X No

E. Kevin Armbruster

Answer: Yes X No

F. James DeValkenaere

Answer: Yes X No

If you answered "yes" to any of the defendants in Question Nos. 1 or 2, then answer Question No. 3.

QUESTION NO. 3:

Did any of those defendants conspire to use fabricated evidence that was a cause of the homicide conviction of William Avery?

A. Gilbert Hernandez

Answer: X Yes _____ No

B. Daniel Phillips

Answer: X Yes _____ No

C. Katherine Hein/Spano

Answer: _____ Yes X No

D. Timothy Heier

Answer: _____ Yes X No

E. Kevin Armbruster

Answer: _____ Yes X No

F. James DeValkenaere

Answer: _____ Yes X No

If you answered "yes" to any part of Question Nos. 1, 2, or 3, then answer Question No. 4.

QUESTION NO. 4:

Did the City of Milwaukee have a policy, practice or custom of inadequately investigating homicides at the time in question which led to the fabrication of evidence resulting in the homicide conviction of William Avery?

Answer: X Yes No

If you have answered "yes" to any of the previous questions, then answer Question No. 5.

QUESTION NO. 5:

We award the plaintiff compensatory damages in the amount of

\$ 1,000,000.⁰⁰/100

If you answered "no" to all parts of Question Nos. 1, 2, or 3, then you need not answer Question No. 6. However, if you answered "yes" to any part of Question Nos. 1, 2, or 3, then answer Question No. 6 as to any defendant for which you answered "yes."

QUESTION NO. 6:

What amount of money, if any, do you award the plaintiff as punitive damages against the following defendants:

Gilbert Hernandez

\$ -0-

Daniel Phillips

\$ -0-

Katherine Hein/Spano

\$ -0-

Timothy Heier

\$ -0-


Kevin Armbruster

\$ -0-

James DeValkenaere

\$ -0-

Dated at Milwaukee, Wisconsin, this 11 day of June, 2015.


(Signature of Foreperson)

Mark Zimmermann
(Printed Name of Foreperson)